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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/631,414	08/03/2000	KENICHI MORITA	15162/02390	9594
24367	7590	09/29/2004	EXAMINER	
SIDLEY AUSTIN BROWN & WOOD LLP 717 NORTH HARWOOD SUITE 3400 DALLAS, TX 75201			YUSSUF, SAJID	
			ART UNIT	PAPER NUMBER
			2141	

DATE MAILED: 09/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/631,414

Applicant(s)

MORITA ET AL.

Examiner

Sajid A Yussuf

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--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 21 July 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
- ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See attached detailed action.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____

Claim(s) objected to: _____

Claim(s) rejected: _____

Claim(s) withdrawn from consideration: _____

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____

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Response to Arguments

Applicant's arguments filed 7/21/04 have been fully considered but they are not persuasive. 35 U.S.C. & 102(e) Resections

Applicant states that Mori fails to disclose "a transmission unit for transmitting a plurality of its own address data corresponding to each of the plurality of communication lines to the specified transmission destination."

Examiner disagrees Mori teaches a transmission unit for transmitting a plurality of its own address data corresponding to each of the plurality of communication lines to the specified transmission destination, (See Column 1 Lines 55-67 & Figures 19-21). Applicant is also advised to review the reference in its entirety as the reference discloses a transmission unit (i.e., facsimile machine) that transmits its own address (i.e., e-mail address or a phone number based on G3 transmit regulation) corresponding to each of the plurality of communication lines to the specified transmission destination, (i.e., whether be it a phone number or e-mail address.

Applicant states that Paragraph 16 of the Office Action, states that "One has to grasp that fact that an address of the sender is always known when sending an e-mail as well as a fax 'image' through a telephone line. The sender's address appears on the header of the receiving machine as well as an e-mail in the 'from' field." It is respectfully submitted that this statement is incorrect.

Examiner disagrees that as per the reference the transmission of a facsimile document to another apparatus similar or compatible in nature to the latter wherein a header represents an identification of the sending unit. Wherein address information is stored/presented on the destination apparatus with the document image thus the sending mechanism sends the header information as well as the document image as ONE entity.

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Applicant states that the statement in the Office Action suggests, incorrectly, that a telephone number of the sending facsimile device is embedded in the fax 'image' data. The Group 3 fax transmission protocol provides for the optional exchange of identifying information, e.g., Called Subscriber Identification (CSI), as part of the setup process. See Mori Fig. 15, and column 10, lines 30-45. Thus, the sender's ID may be displayed on a receiving fax machine or printed on a received page, because the devices exchange the information prior to sending the image data. The ID is not embedded in the document image. Note that the ID need not be a telephone number or e-mail address, it is a user selectable string of characters. Thus, as disclosed by Mori, the only addresses in an e-mail fax transmission are the addresses in the e-mail header, e.g., in the 'From:' field.

Examiner disagrees as transmission of a document signifies the sending of information as a whole whether be it the body of the header. Furthermore the ID is embedded into the document image wherein whenever any document is sent through transmission lines to another location the "ID" information is presented with the document image thus making the "ID" embedded into the document. Furthermore, Applicant states the ID need not be a telephone number or e-mail address, "it is a user selectable string of characters." Examiner agrees as a telephone or e-mail address is a string of characters. For purposes of clarification a character is defined in the Microsoft Dictionary as a letter, number, punctuation mark, or other symbol or control code that is represented to a computer by one unit – 1 byte – of information. Moreover, a string is defined in the Microsoft Dictionary as a data structure composed of a sequence of characters usually representing human-readable text. Wherein, as per Applicants argument in relation to an ID being a string of characters a telephone number fits the description of a "string of characters." Even further, an e-mail address also fits the description of a "string of characters."

Applicant states that Mori does not disclose an NFAF that transmits both its own telephone number and its own e-mail address to another device.

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Examiner disagrees as Mori discloses an NFAX that transmits both its own telephone number and its own e-mail address to another device, (See Column 2 Lines 35-59). Mori teaches of data terminal apparatuses that are connected to two a local area network, (i.e., own e-mail address) AND to a telephone network (i.e., phone number of device). Furthermore, the reference indicates that each communications system is connected to two networks wherein it is apparent that if the communications system has both networks connected to it then both a phone number and an e-mail address exist on the system itself.

Applicant states that Mori does not disclose a data communication apparatus including "a transmission unit for transmitting a plurality of its own address data corresponding to each of the plurality of communication lines to the specified transmission destination," as required by claim 1.

Examiner disagrees Mori teaches a transmission unit for transmitting a plurality of its own address data corresponding to each of the plurality of communication lines to the specified transmission destination, (See Column 1 Lines 55-67 & Figures 19-21). Mori discloses an NFAX that transmits both its own telephone number and its own e-mail address to another device, (See Column 2 Lines 35-59). Mori teaches of data terminal apparatuses that are connected to two a local area network, (i.e., own e-mail address) AND to a telephone network (i.e., phone number of device). Furthermore, the reference indicates that each communications system is connected to two networks wherein it is apparent that if the communications system has both networks connected to it then both a phone number and an e-mail address exist on the system itself.

Applicant states that Mori fails to disclose a method of data communication including "transmitting a plurality of its own address data corresponding to each of a plurality of communication lines to the specified transmission destination."

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Applicant states that Mori fails to disclose a data communication apparatus including "a transmission unit for transmitting a plurality of its own address data to the other data communication apparatus."

Examiner disagrees, Mori discloses an NFAX that transmits both its own telephone number and its own e-mail address to another device, (See Column 2 Lines 35-59). Mori teaches of data terminal apparatuses that are connected to two a local area network, (i.e., own e-mail address) AND to a telephone network (i.e., phone number of device). Furthermore, the reference indicates that each communications system is connected to two networks wherein it is apparent that if the communications system has both networks connected to it then both a phone number and an e-mail address exist on the system itself.

Applicant states that it is respectfully submitted that Mori fails to disclose a data communication device including a communication controller, "wherein the communication controller is adapted to send to the other data communication device the plurality of addresses."

Examiner disagrees as Mori teaches of a relay controller that is adapted to send to the other data communications device the plurality of addresses, (See Column 2 Lines 35-60). Furthermore, Mori discloses an NFAX that transmits both its own telephone number and its own e-mail address to another device, (See Column 2 Lines 35-59). Mori teaches of data terminal apparatuses that are connected to two a local area network, (i.e., own e-mail address) AND to a telephone network (i.e., phone number of device). Furthermore, the reference indicates that each communications system is connected to two networks wherein it is apparent that if the communications system has both networks connected to it then both a phone number and an e-mail address exist on the system itself. Mori teaches a transmission unit for transmitting a plurality of its own address data corresponding to each

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of the plurality of communication lines to the specified transmission destination, (See Column 1 Lines 55-67 & Figures 19-21).

Applicant states that it is respectfully submitted that Mori fails to disclose a data communication apparatus including a processor programmed to "transmit the addresses associated with the plurality of communication lines to the other device over the one communication line."

Examiner disagrees Mori discloses a data transmission controller which controls the communication for exchanging information with other data terminals for the local area network using different protocol suites, (See Column 6 Lines 45-60).

With respect to dependent claims 2-4, 7-8, 10-15, and 17-19, it is respectfully submitted that they distinguish Mori for at least the same reasons as their respective base claims.

Examiner disagrees and states that with respect to dependent claims 2-4, 7-8, 10-15, and 17-19, it is submitted that they DO NOT distinguish Mori for at least the same reasons as their respective base claims.

Applicant states that accordingly, it is respectfully requested that the rejection of claims 1-20 under 35 U.S. C. § 102(e) as being anticipated by Mori, be reconsidered and withdrawn.

Examiner disagrees and states that request of the rejection of claims 1-20 under 35 U.S. C. § 102(e) as being anticipated by Mori, is NOT reconsidered and is NOT withdrawn.

Applicant states that the rejection of claims 12 and 19 under 35 U.S.C. § 103(a), as being unpatentable over Mori in view of Suzuki, is respectfully traversed because the

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combination fails to teach or suggest all the limitations of the rejected claims. Claims 12 and 19 depend from claims 1 and 16, respectively, which distinguish over Mori as provided hereinabove. It is respectfully submitted that Suzuki fails to cure the deficiencies of Mori, in that it fails to teach or suggest a device that sends or transmits a plurality of its own addresses to a destination device. Accordingly, it is respectfully requested that the rejection of claims 12 and 19 under 35 U. S. C. § 103 (a) as being unpatentable over Mori in view of Suzuki, be reconsidered and withdrawn.

Examiner disagrees wherein response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). Furthermore, Applicant's arguments do not comply with 37 CFR 1.111(c) because they do not clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made. Further, they do not show how the amendments avoid such references or objections. Finally, Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.

Conclusion


1. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sajid A. Yussuf whose telephone number is (703) 305-8752. The examiner can normally be reached on Monday-Thursday 7:30-5:00 PM and Alternate Fridays.
2. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (703) 305-4003. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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3. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Sajid A. Yussuf
Examiner
Art Unit 2141

Sajid Yussuf
Patent Examiner
Technology center 2100
27 September 2004



RUPAL DHARIA
SUPERVISORY PATENT EXAMINER